



**United States Environmental Protection Agency  
Region 1 – EPA New England  
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Boston, MA 02109-3912**

**Certified Mail - Return Receipt Requested**

September 11, 2013

Captain C. A. Lahti, Commanding Officer  
US Navy Submarine Base New London  
1 Crystal Lake Rd  
Groton, CT 06349-5000

**Re: Comments on Response to EPA Notice of Violations 2013-NOV-07**

Dear Captain Lahti:

EPA received your Response to EPA Notice of Violation 2013-NOV-07 ("NOV Response") on August 19, 2013. Thank you for your timely attention to this matter. Overall, the updated storm water pollution prevention plan (SWPPP) represents a substantial improvement from the SWPPP examined during the May 29, 2013 facility inspection. However, several items require changes for the Naval Submarine Base New London (SUBASENLON) to be in compliance with the Connecticut General Permit for the Discharge of Stormwater Associated with Industrial Activity ("Industrial GP").

The following is a summary of the items in the June 28, 2013 SWPPP ("2013 SWPPP") that should be amended:

1. Table 1 in Section 3.3.1 of the 2013 SWPPP does not list all areas associated with industrial activity at the SUBASENLON facility. In Appendix I, Figure 11, the 2013 SWPPP shows that drums, dumpsters, vehicles, wood, and decommissioned equipment are stored in the "Alpha Lot" near the Crane Test Pad. These materials and equipment, some of which are identified as potential pollutant sources, are located adjacent to a stream and a wetland resource area. The Industrial GP, in Section 3(b)(1), specifies that stormwaters discharged from "materials storage areas" and "sites used for storage ... of material handling equipment" require authorization. The Alpha Lot, therefore, should be identified as a regulated drainage area and included in the facility's inspection and monitoring programs.
2. Section 6.11 of the 2013 SWPPP addresses the facility's obligations to identify and eliminate non-stormwater discharges, excepting a list of permitted non-stormwater discharges. Section 6.11 refers to the "Non-Stormwater Discharge Certification" section of the 2013, which then refers to Appendix G. Appendix G of the 2013 SWPPP contains a non-stormwater discharge certification and a table displaying the results of a dry-weather drainage system and outfall survey conducted on several dates between October 18, 2012 and April 16, 2013. Missing from the non-stormwater discharge assessment,

however, is a tabulation of the bacteria results from samples collected by SUBASENLON on September 4, 2012 and September 28, 2012. Table 3 of the EPA Inspection Field Notes dated June 26, 2013 (“EPA Inspection Field Notes”) displays five sampling locations where discharges were sampled for bacteria and found in excess of Connecticut Water Quality Criteria for Class SB waters. These sample results may indicate that non-exempted non-stormwater sanitary sewage is being discharged by the facility. While a dry-weather survey is an important step towards detecting illicit discharges of sewage into storm drains, it does not alone demonstrate that no such connections exist. The facility should adopt, as part of its SWPPP, a protocol to detect and eliminate illicit discharges. A guidance manual, *Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assessments* (Center for Watershed Protection and Robert Pitt, 2004) is available at [http://www.epa.gov/npdes/pubs/idde\\_manualwithappendices.pdf](http://www.epa.gov/npdes/pubs/idde_manualwithappendices.pdf).

3. Section 11 of the 2013 SWPPP describes a procedure that SUBASENLON will use to address monitoring results over the benchmarks set in the Industrial GP. Section 11 does not include, however, a summary of the monitoring data from samples collected between October 19, 2011 and November 27, 2012, and a plan of action for addressing the benchmark exceedances identified in Table 2 of the EPA Inspection Field Notes. Section 6 of the 2013 SWPPP contains a description of stormwater control measures, but does not identify any control measures specifically addressing the benchmark exceedances from the previous Industrial GP permit term.

SUBASENLON should revise the SWPPP to describe additional investigations and control measures that will be adopted by the facility to address the benchmark exceedances that have already been documented. These additional investigations should include additional sampling at outfalls with documented benchmark exceedances. Table 4 in Section 11.1 of the 2013 SWPPP displays the monitoring locations that will be sampled by SUBASENLON. Table 1 of this Comments on Response to EPA Notice of Violations 2013-NOV-07 (“Comments on NOV Response”) summarizes the outfalls identified as having average monitoring results in exceedance of benchmarks and the monitoring status of these outfalls in the 2013 SWPPP.

**Table 1 - Monitoring status of outfalls with documented benchmark exceedances in 2013 SWPPP**

Outfall (2008 SWPPP)	Parameters with Benchmark Exceedances	Outfall (2013 SWPPP)	2013 SWPPP Monitoring Status
B-460	Total zinc	O-36	Included
B-519 Parking Lot	Total copper, total zinc	“non-regulated drainage area”	Not included
B-85	Total copper, total zinc	O-32	Not included
Ballfields	Chemical oxygen demand	O-35	Not included
Yacht Club	Total copper	O-6	Included

In SUBASENLON’s NOV Response, Section 3(d), it asserted that the Industrial GP does not require corrective measures for Total Maximum Daily Load (TMDL) monitoring or toxicity monitoring. While Section 5(e)(C) of the Industrial GP does not explicitly direct permittees to address discharges determined to have toxic effects on test organisms,



Section 5(a)(4) of the Industrial GP provides, as a condition of the permit, that discharges shall not result in pollution due to acute or chronic toxicity to aquatic and marine life. Likewise, while Section 5(e)(D) of the Industrial GP does not explicitly direct permittees to address discharges determined to be in exceedance of background levels, Section 5(a)(5) of the Industrial GP provides, as a condition of the permit, that discharges shall not cause or contribute to an exceedance of the applicable Water Quality Standards in the receiving water. Therefore, discharges of stormwaters that exhibit toxic characteristics or contain bacteria in levels exceeding the water quality criteria of the receiving water body may be violations of Sections 5(a)(4 and 5) of the Industrial GP. These discharges should be addressed by SUBSENLON in its SWPPP.

In addition, monitoring results that display levels of bacteria in excess of benchmark values may indicate discharges of sewage through the storm drainage system. Such discharges are not authorized by the Industrial GP or any other NPDES permit. As discussed in item 2 (above), SUBSENLON should address outfalls with a potential for sewage contamination in its illicit discharge detection and elimination protocol.

Please amend the 2013 SWPPP and provide the EPA with a copy within 60 days of the receipt of this letter. Please submit all information and refer any questions regarding this matter to:

Attn: Jack Melcher  
U.S. Environmental Protection Agency  
5 Post Office Square – Suite 100  
Mail Code OES04-1  
Boston, MA 02109-3912

Sincerely,



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cc (electronic only):

Ed Finger, Connecticut Department of Energy and Environmental Protection  
Nisha Patel, Connecticut Department of Energy and Environmental Protection